

identify which viral strains they carry, to share the virus samples in order to continually update vaccine production options, and to disseminate lab results on a public electronic database utilizing a user-friendly mapping system. Major flyways will be monitored including those running north-south through the Americas.

GAINS is a global surveillance program supported by an international network including conservation organizations, bird groups, the poultry industry, vaccine developers, and academic institutions representing more than 5 million members.

With HHS and USAID's leadership, the Wildlife Conservation Society's, WCS presence in 56 countries around the world, and the presence of its global partners, GAINS has a presence in virtually every key country related to avian influenza. Data shared among these partners in the GAINS network will deliver real-time data on viral strains carried by wild birds.

Additional funds for international Western Hemisphere work are welcome but must be integrated with the existing GAINS system. Parallel efforts waste limited resources. Like intelligence data, disease surveillance data must be shared to be effective in preventing the enemy—avian influenza in this case—from progressing. The USG should not fund the creation of separate international wild bird surveillance programs. Instead, these programs must work together.

GAINS is a sensible approach to gather scientific data for the public domain in as close to real time as possible to combat a looming public health emergency.

AMENDMENT 3775

Mr. HARKIN. Mr. President, more than 3 years into the Iraq war, we have had report after report documenting rampant corruption and profiteering on the part of defense contractors, as well as lax oversight by government officials. A major reason why this is continuing largely unchecked is that the Department of Justice has been systematically delaying whistleblower law suits brought under the False Claims Act. Earlier today, I filed an amendment designed to break this logjam by requiring the Department of Justice to allow these cases to go forward after a maximum 1-year review period. I am pleased that Senator JOHNSON is co-sponsoring this amendment.

The cost of the wars in Iraq and Afghanistan has risen dramatically in each of the last 3 years. The Congressional Research Service reports that we are now spending \$10 billion a month in Iraq, alone. One reason for these runaway costs is the widespread corruption in the contracting process: shoddy work, nonwork, stealing, fraud, kick-backs, bribes, insider dealings, inflated billings, and on and on.

The waste of billions of dollars in taxpayer money is bad enough. But this widespread corruption is also impeding our war effort, slowing recon-

struction efforts, and denying our troops in the field the quality support and equipment that they deserve.

The single most important tool that American taxpayers can use to recover funds stolen through fraud by U.S. contractors is the False Claims Act. Indeed, thanks to this law, more than \$17 billion has been recovered on behalf of the American taxpayer. Under the False Claims Act, whistleblowers are given a powerful incentive to come forward and expose instances of fraud. The statute allows them to sue contractors suspected of defrauding the government, and then to keep a portion of the recovered funds as a reward.

But there is a problem—a big problem. Scores of lawsuits have been brought against contractors suspected of fraud in Iraq and Afghanistan, including Halliburton subsidiary Kellogg Brown and Root. But the Department of Justice has allowed only one of those suits to go forward in the courts; that lawsuit resulted in a major recovery of fraudulently collected payments. For reasons that I cannot fathom, the Department of Justice is systematically delaying these law suits and preventing the recovery of perhaps billions of dollars in taxpayer money.

Cases filed under the False Claims Act are automatically sealed. They cannot go to trial—in fact, they cannot even be publicly disclosed—until the Department of Justice makes a decision about whether to join them. Under the statute, these decisions are supposed to be made within 60 days. But, with just one exception, the Department of Justice has refused to take a position on any of the suits related to Iraq and Afghanistan, some of which were filed more than 3 years ago. Instead, the Department has repeatedly filed for and received indefinite extensions of seal.

As a result, with one exception, every single whistleblower lawsuit has been effectively blocked by the Department of Justice. Fraud has gone unpunished. Billions of taxpayer dollars continue to be squandered in Iraq, Afghanistan, and elsewhere. And courageous whistleblowers, who have come forward often at great personal risk, have been left in a legal limbo. As one attorney put it: "The Bush administration has made a conscious decision to sweep the cases under the rug for as long as possible. And the more bad news that comes out of Iraq, the more motivation they have to do so."

This situation is unacceptable. My amendment would prevent the Department of Justice from imposing undue secrecy on false claim civil actions related to government spending on Iraq and Afghanistan by simply requiring the Department of Justice to make a decision about joining such cases within 1 year, or 4 months in the case of cases that have already been filed. There will be protections against the release of information that could be detrimental to national security. But, after the 1-year period, the allegations

will become public and the case will proceed.

A 1-year time period will provide the Department of Justice ample opportunity to conduct a full investigation into the underlying allegations of fraud, and to decide whether to join the suit. In addition, my amendment allows the administration to seek additional extensions to keep a case sealed upon a showing of extraordinary circumstances. And nothing prevents the Department of Justice from joining a case at a later date.

As a matter of good faith to our troops and to the American taxpayer, we need to move aggressively against corruption and war profiteering in Iraq, Afghanistan, and elsewhere.

Stuart Bowen, the Special Inspector General for Iraq Reconstruction, has issued a number of reports on waste and fraud in Iraq. He reported that the Coalition Provisional Authority failed to account for the expenditure of nearly \$9 billion in taxpayer funds. The money simply disappeared into a black hole. More recently, he reported on a case of fraud uncovered in the Iraqi city of Hillah. Here's how the Special Inspector General described it to the Wall Street Journal: "There was no oversight anywhere near the [perpetrators] at any time, and they did not believe they would be caught. They considered it a free-fraud zone."

The Hillah fraud, alone, cost taxpayers nearly \$100 million. And this is just the tip of the iceberg, as reports of fraud continue to pour in. The inspector general's own Hotline, which has been in operation a little more than 2 years, had received 449 cases of fraud, waste, abuse, mismanagement, and reprisal in Iraq as of January 30. Instead of delaying the prosecution of fraud under the False Claims Act, the Department of Justice should be leading the charge to criminals and war profiteers to justice.

I commend our colleague, the junior Senator from North Dakota, Mr. DORGAN, for chairing a Democratic Policy Committee hearing in February 2005 on the issue of waste, fraud, and abuse in Iraq. He heard testimony from Alan Grayson, an attorney who represented whistleblowers in the one and only case allowed by the Department of Justice to go forward under the False Claims Act. Mr. Grayson described what happened to one of those whistleblowers, a former FBI agent, who refused to go along with the fraud. Said Mr. Grayson: "He was held at gunpoint, stripped of his weapons and security identification, and then he was released defenseless on the streets of Baghdad."

Waste, fraud, and abuse are a fact of life in any war. But in past wars, we have had aggressive oversight by congressional investigative committees. During World War II, the Truman Commission worked relentlessly to root out corruption and war profiteering—a Democratic Senator investigating a Democratic administration. Senator Truman denounced war profiteering as